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LOK SABHA

The following Bills were introduced in Lok Sabha on the 4th December, 1961:—

BILL No. 71 OF 1961.

A Bill to amend the Visva-Bharati Act, 1951.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. This Act may be called the Visva-Bharati (Amendment) Act, Short title. 1961.
- 5 2. In the Visva-Bharati Act, 1951 (hereinafter referred to as the Amendment principal Act), in section 2, the following words shall be added and of section 2. shall be deemed always to have been added at the end, namely:—
“and is as such hereby constituted as a University.”.
3. In section 3 of the principal Act, for clause (e), the following Amendment 10 clause shall be substituted, namely:—
“(e) “Bhavana (College)” means a hall or a unit of residence, with provision for tutorial instructions for students, provided or recognised by the University;”.
- 15 4. In section 4 of the principal Act, after the words “body corpo- Amendment rate”, the words “as a unitary, teaching and residential University” of section 4. shall be inserted and shall be deemed always to have been inserted.
5. In section 5 of the principal Act, for clause (ii), the following Amendment clause shall be substituted and shall be deemed always to have been of section 5. substituted, namely:—
20 “(ii) all property, assets, rights and liabilities of the said Society shall be the property, assets, rights and liabilities of the

University and any will, deed or other document, whether made or executed before or after the commencement of this Act, which contains or purports to contain any bequest, gift, trust, payment of money or transfer or assignment of any right or property, movable or immovable, in favour of the said Society shall be construed as if the University was therein named instead of the said Society.”.

Amendment
of section 6.

6. In section 6 of the principal Act,—

(i) in clause (b), for the words and brackets “Bhavans (Halls)” wherever they occur, the words and brackets “Bhavanas (Colleges)” shall be substituted;

(ii) after clause (j), the following clause shall be inserted, namely:—

“(jj) with the approval of the Central Government, to borrow, on the security of property of the University, money for the purposes of the University;”.

Insertion of
new section
7A.

7. After section 7 of the principal Act, the following section shall be inserted, namely:—

Maintenance
of examina-
tion centres
outside
territorial
limits.

“7A. Notwithstanding anything contained in section 7, the University may establish and maintain, at any place in India examination centres for home study courses conducted by its Loka Shiksha Samsad (People’s Education Council) and recognise, for such purposes as may be provided in the Ordinances, the certificates awarded by the said Loka Shiksha Samsad (People’s Education Council) on the results of examinations conducted by it.”.

Amendment
of section
13.

8. In section 13 of the principal Act, in sub-section (3), after the words and brackets “Samsad (Court)”, the words and brackets “and the Karma Samiti (Executive Council)” shall be inserted.

Amendment
of section
19.

9. In section 19 of the principal Act, in sub-section (1), under the heading “Class I—Ex-officio members” for items (v) and (vi), the following items shall be substituted, namely:—

“(v) Adhyakshas (Principals) of Bhavanas (Colleges),

(vi) Adhyakshas (Directors) of Vibhagas (Departments),”.

Amendment
of section
23.

10. In section 23 of the principal Act,—

(i) to clause (e), the following proviso shall be added, namely:—

“Provided that no action shall be taken by the Karma Samiti (Executive Council) in respect of the number, quali-

fications and status of teachers, otherwise than on the recommendation of the Shiksha Samiti (Academic Council);”;

(ii) the proviso to clause (j) shall be omitted.

11. In section 27 of the principal Act, in clause (g), for the words and brackets “Bhawanas (Halls)”, the words and brackets “Bhavanas (Colleges)” shall be substituted. Amendment of section 27.

12. In section 29 of the principal Act,—

Amendment of section 29.

(i) after clause (c), the following clause shall be inserted, namely:—

10 “(cc) the purposes for which certificates awarded by the Loka Shiksha Samsad (People’s Education Council) of the University may be recognised by the University;”;

15 (ii) in clause (g), for the words and brackets “Bhawanas (Halls)”, the words and brackets “Bhavanas (Colleges)” shall be substituted;

(iii) in clause (k), for the words “of teachers”, the words “of studies” shall be substituted.

13. In section 32 of the principal Act,—

Amendment of section 32.

20 (i) after the words “the University”, the words and brackets “other than a student of its Loka Shiksha Samsad (People’s Education Council)” shall be inserted;

(ii) for the words and brackets “Bhavan (Hall)”, the words and brackets “Bhavana (College)” shall be substituted.

14. In section 36 of the principal Act, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:— Amendment of section 36.

“(2) The accounts of the University shall, once at least in every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or any person authorised by him in this behalf.

30 “(3) The accounts, when audited, shall be published in the Official Gazette and a copy of the accounts, together with the

auditor's report shall be submitted to the Samsad (Court) and to the Paridarsaka (Visitor).".

Amendment of section 38. 15. To section 38 of the principal Act, the following proviso shall be added, namely:—

. "Provided that nothing in this section shall be construed as 5 taking away or affecting the right of the University to terminate the services of any of its officers or teachers in accordance with the provisions of the Statutes governing the terms and conditions of service of officers and teachers of the University."

Amendment of section 40. 16. In section 40 of the principal Act, in sub-section (1), for 10 the words and brackets "till the next meeting of the Samsad (Court)", the words "until his successor enters upon his office" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Experience of the administration of the Visva-Bharati Act, 1951, has revealed the need to amend it in certain respects. It is felt that the scope of clause (ii) of section 5 may be enlarged to cover all transfers including transfer or assignment of any property. Clause 5 of the Bill seeks to achieve this object. At present no power exists in the university to borrow money on the security of its property. The Bill makes the necessary provision in this regard. The Loka Siksha Samsad which is part of the university conducts certain examinations for home study courses not only within the territorial limits of the university but outside such limits also. It is considered necessary that the university should be enabled to establish and maintain at any place in India examination centres for such examinations. Clause 7 of the Bill makes provision accordingly. Section 36 of the Act is being amended so as to make specific provision for the audit of the accounts of the university by the Comptroller and Auditor-General of India as in the case of other Central universities. Opportunity is also being taken to make a few more amendments which are either consequential or clarificatory in nature.

NEW DELHI;

K. L. SHRIMALI.

The 28th November, 1961.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill which seeks to amend section 29 of the Visva-Bharati Act, 1951 confers on the Visva-Bharati University the power to frame Ordinances providing the purposes for which the certificates awarded by its Loka Shiksha Samsad (People's Education Council) may be recognised by the University. These are matters of detail and the delegation of legislative power with respect to them is of a normal character.

BILL No. 72 OF 1961

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1961-62 for the purposes of Railways.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:— Short title.

1. This Act may be called the Appropriation (Railways) No. 4 Act, 1961.

5 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of eight crores, thirty lakhs and five thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1961-62, in respect of the services relating to railways specified in column 2 of the Schedule. Issue of Rs. 8,30,05,000 out of the Consolidated Fund of India for the Financial year 1961-62.

15 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. Appropriation.

*The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, read with clause (2) of article 115 thereof, recommended to Lok Sabha the introduction and consideration of the Bill.

THE SCHEDULE
(See sections 2 and 3)

1	2	3			
No. of Vote	Services and purposes	Sums not exceeding			5
		Voted by Parliament	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
1	Railway Board	3,05,000	..	3,05,000	10
2	Miscellaneous Expenditure.	28,61,000	..	28,61,000	
7	Working Expenses— Operation (Fuel).	4,91,32,000	...	4,91,32,000	
9	Working Expenses— Miscellaneous Expenses.	3,02,25,000	82,000	3,03,07,000	15
15	Construction of New Lines.	3,00,000	...	3,00,000	
16	Open Line Works— Additions.	1,00,000	...	1,00,000	2C
	TOTAL	8,29,23,000	82,000	8,30,05,000	

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 114(1) of the Constitution of India read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government on Railways for the financial year 1961-62.

JAGJIVAN RAM.

M. N. KAUL,
Secretary.

